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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/691,553	10/18/2000	Michael G. Coutts	8573.00	3877
26889	7590	06/19/2006	EXAMINER	
MICHAEL CHAN NCR CORPORATION 1700 SOUTH PATTERSON BLVD DAYTON, OH 45479-0001			PATEL, HARESH N	
			ART UNIT	PAPER NUMBER
			2154	

DATE MAILED: 06/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/691,553

Applicant(s)

COUTTS ET AL.

Examiner

Haresh Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 39-47 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 39-47 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>3/27/06</u> . | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 39-47 are subject to examination. Claims 1-38 are cancelled.

#### ***Response to Arguments***

2. Applicant's arguments with respect to newly presented claims 39-47 have been considered but are moot in view of the new ground(s) of rejection. (Note: the claims 1-38 are cancelled and please refer to previous office actions in the prosecution history for the cited arts used for the rejections of the cancelled claims).

#### ***Specification***

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

The present title is not sufficient for proper classification of the claimed subject matter.

The title should reflect applicant-concerned invention, i.e., the financial institution does not have to pass control of the facilities to the third part at any time.

#### ***Drawings***

4. New corrected drawings are required in this application because submitted figures of this application does not show claimed invention, "presenting to a self-service terminal user an option of accessing a third party application to obtain a service from the third party application while the user is at the self- service terminal; receiving a request from

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the third party application to use one of the peripheral devices of the self-service terminal in response to the user accessing the third party application to obtain the service from the third party application, using the terminal application to determine if the request received from the third party application should be granted; and activating the peripheral device under control of the terminal application such that control of the peripheral device is not passed to the third party application when the request from the third party application to use the peripheral device is granted, and thereby to allow the user to obtain the service via the peripheral device". Applicant is advised to employ the services of a competent patent draftsman outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled --Replacement Sheet-- in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the examiner does not accept the changes, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

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5. Claim 39 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification of this application under examination in such a way as to reasonably convey to one skilled in the relevant art to use and/or make the invention.

6. The specification of this application under examination does not contain subject matter to implement limitations, “activating the peripheral device under control of the terminal application such that control of the peripheral device is not passed to the third party application when the request from the third party application to use the peripheral device is granted, and thereby to allow the user to obtain the service via the peripheral device”, as cited in claim 39. Note: the applicant assertion that the financial institution does not have to pass control of the facilities to the third part at any time is similar to this is incorrect. In fact, the claimed invention does not include, “the financial institution does not have to pass control of the facilities to the third part at any time”.

Examiner has reviewed the specification of this application under examination (and OCR whole document) and could not find support for the limitations as claimed.

### ***Claim Rejections - 35 USC § 103***

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 39-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Drummond et al., 6,289,320, Diebold Incorporated (Hereinafter Drummond-Diebold) in

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view of Angles et al., 5,933,811, Paul D. Angles (Hereinafter Angles-Paul) and “Official Notice”.

9. As per claim 39, Drummond-Diebold clearly discloses a method (e.g., lines 43 – 58, col., 6) of operating a self-service terminal (e.g., lines 16 – 32, col., 6) having a number of peripheral devices (e.g., lines 16 – 34, col., 7) and a terminal application (e.g., lines 49 – 64, col., 7) which controls the peripheral devices (e.g., lines 16 – 34, col., 7), the method (e.g., lines 43 – 58, col., 6) comprising the steps of:

presenting to a self-service terminal (e.g., lines 16 – 32, col., 6) user an option of accessing a third party application (e.g., lines 6 – 24, col., 11) to obtaining a service from the third party application (e.g., lines 6 – 24, col., 11);

receiving a request (e.g., col., 8, lines 43 – 54) from the third party application (e.g., lines 6 – 24, col., 11) to use one of the peripheral devices (e.g., lines 16 – 34, col., 7) of the self-service terminal (e.g., lines 16 – 32, col., 6) in response to the user accessing (e.g., block 30, figure 5) the third party application (e.g., lines 6 – 24, col., 11) to obtain the service from the third party application (e.g., lines 6 – 24, col., 11);

using the terminal application (e.g., col., 7, lines 48 – 67) to determine if the request received from the third party application (e.g., lines 6 – 24, col., 11) should be granting (e.g., usage of security and authentication, lines 56 – 67, col. 8, lines 43 – 57, col., 14); and

activating the peripheral device (e.g., blocks 38, 50, figure 5) under control of the terminal application (e.g., col., 7, lines 48 – 67) such that control of the peripheral device is not passed to the third party application (e.g., usage of security and authentication, lines 56 – 67, col. 8, lines 43 – 57, col., 14); when the request from the third party

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application (e.g., lines 6 – 24, col., 11) to use the peripheral device is granted (e.g., lines 56 – 67, col. 8, lines 43 – 57, col., 14); and thereby to allow the user to obtain the service (e.g., lines 33 – 49, col., 13) via the peripheral device (e.g., blocks 38, 50, figure 5).

However, Drummond-Diebold does not specifically mention about while the user is at the self-service terminal.

Angles-Paul discloses while the user is at the self-service terminal (e.g., lines 33 – 53, col., 21).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Drummond-Diebold with the teachings of Angles-Paul in order to facilitate while the user is conducting a transaction because while the transaction is in process the user would be able to obtain information from the application. The obtained information would help user to further operate the self-service terminal.

However, Drummond-Diebold and Angles-Paul do not specifically mention about control of the peripheral device is not passed to the third party application at any time.

“Official Notice” is taken that both the concept and advantages of providing control of the peripheral device is not passed to the third party application at any time is well known and expected in the art. For example, Ramachandran et al., 6,023,688 discloses dispensing of cash that is not interrupted by the capabilities of dispensing stamps etc. Barrameda et al., 6,216,115 also discloses handling of cash transaction that is not interrupted by the selling of the other products including stamps etc. Waters et al.,

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6,256,046, Compaq Computer Corporation (Hereinafter Waters-Compaq) also discloses these limitations.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include control of the peripheral device is not passed to the third party application at any time with the teachings of Drummond-Diebold and Angles-Paul in order to facilitate the use of the peripheral device without the third party application accessing the device at any time because it would provide the transaction related accessing to be finished without interruption of the activities related to the third party application.

10. As per claims 40 and 41, Drummond-Diebold and Angles-Paul disclose the claimed limitation rejected above. Drummond-Diebold also monitoring terminal usage during operation of the third party application to ensure that the user is still present (e.g., lines 16 – 34, col., 7, lines 56 – 67, col. 8, lines 43 – 57, col., 14) and sending a response to the third party application to indicate the status of the request received from the third party application (e.g., lines 46 – 63, col., 28).

11. As per claim 42, Drummond-Diebold discloses a self-service terminal comprising (e.g., lines 16 – 32, col., 6):

a peripheral device (e.g., lines 16 – 34, col., 7);

a terminal application (e.g., lines 49 – 64, col., 7) which controls the peripheral devices (e.g., lines 16 – 34, col., 7); and



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a controller (e.g., lines 16 – 32, col., 6) for (i) receiving a request (e.g., col., 8, lines 43 – 54) from a third party application (e.g., lines 6 – 24, col., 11) to use the peripheral device (e.g., lines 16 – 34, col., 7) in response to the user accessing (e.g., block 30, figure 5) the third party application (e.g., lines 6 – 24, col., 11) to obtain a service from the third party application (e.g., lines 6 – 24, col., 11), (ii) using the terminal application (e.g., col., 7, lines 48 – 67) to determine if the request received from the third party application (e.g., lines 6 – 24, col., 11) should be granted (e.g., usage of security and authentication, lines 56 – 67, col. 8, lines 43 – 57, col., 14), and (iii) activating the peripheral device (e.g., blocks 38, 50, figure 5) under control of the terminal application (e.g., col., 7, lines 48 – 67) such that control of the peripheral device is not passed to the third party application (e.g., usage of security and authentication, lines 56 – 67, col. 8, lines 43 – 57, col., 14).

However, Drummond-Diebold does not specifically mention about while the user is at the self-service terminal.

Angles-Paul discloses while the user is at the self-service terminal (e.g., lines 33 – 53, col., 21).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Drummond-Diebold with the teachings of Angles-Paul in order to facilitate while the user is at the self-service terminal because while the transaction is in process the user would be able to obtain a information from the application. The obtained information would help user to further operate the self-service terminal.

However, Drummond-Diebold and Angles-Paul do not specifically mention about control of the peripheral device is not passed to the third party application at any time.

“Official Notice” is taken that both the concept and advantages of providing control of the peripheral device is not passed to the third party application at any time is well known and expected in the art. For example, Ramachandran et al., 6,023,688 discloses dispensing of cash that is not interrupted by the capabilities of dispensing stamps etc. Barrameda et al., 6,216,115 also discloses handling of cash transaction that is not interrupted by the selling of the other products including stamps etc. Waters et al., 6,256,046, Compaq Computer Corporation (Hereinafter Waters-Compaq) also discloses these limitations.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include control of the peripheral device is not passed to the third party application at any time with the teachings of Drummond-Diebold and Angles-Paul in order to facilitate the use of the peripheral device without the third party application accessing the device at any time because it would provide the transaction related accessing to be finished without interruption of the activities related to the third party application.

12. As per claim 43, Drummond-Diebold and Angles-Paul disclose the claimed limitation rejected above. Drummond-Diebold also discloses wherein the peripheral device includes a user input device (e.g., blocks 30, 36, figure 3).

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13. As per claim 44, Drummond-Diebold and Angles-Paul disclose the claimed limitation rejected above. Drummond-Diebold also discloses wherein the peripheral device includes a display device (e.g., block 30, figure 3).

14. As per claim 45, Drummond-Diebold discloses a self-service terminal (e.g., lines 16 – 32, col., 6) comprising:

a cash dispenser (e.g., block 36, figure 3) for dispensing cash to a self-service terminal user (e.g., lines 16 – 32, col., 6) conducting a self-service cash dispensing transaction (e.g., lines 49 – 64, col., 7);

a peripheral device (e.g., lines 16 – 34, col., 7) for presenting information to the user (e.g., lines 16 – 34, col., 7);

a memory (e.g., lines 16 – 34, col., 7) storing a first user interface application (e.g., lines 49 – 64, col., 7) which controls the peripheral device (e.g., lines 16 – 34, col., 7); and

a processor (e.g., lines 16 – 34, col., 7) for (i) receiving a request (e.g., col., 8, lines 43 – 54) from a second user interface application (e.g., lines 6 – 24, col., 11) which is different from the first user interface application (e.g., lines 49 – 64, col., 7) to use the peripheral device (e.g., lines 16 – 34, col., 7) to present third party information to the user (e.g., lines 6 – 24, col., 11) (ii) determining if the request (e.g., col., 8, lines 43 – 54) from the second user interface application (e.g., lines 6 – 24, col., 11) should be fulfilled (e.g., usage of security and authentication, lines 56 – 67, col. 8, lines 43 – 57, col., 14), and (iii) using the peripheral device (e.g., blocks 38, 50, figure 5) under control of the first user interface application (e.g., col., 7, lines 48 – 67) to present the user with the third party

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information (e.g., lines 33 – 49, col., 13) and thereby to fulfill the request (e.g., lines 56 – 67, col. 8, lines 43 – 57, col., 14).

However, Drummond-Diebold does not specifically mention about while the user is conducting a transaction.

Angles-Paul discloses while the user is conducting a transaction (e.g., lines 33 – 53, col., 21).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Drummond-Diebold with the teachings of Angles-Paul in order to facilitate while the user is conducting a transaction because while the transaction is in process the user would be able to obtain a information from the application. The obtained information would help user to further operate the self-service terminal.

However, Drummond-Diebold and Angles-Paul do not specifically mention about control of the peripheral device is not passed to the third party application at any time.

“Official Notice” is taken that both the concept and advantages of providing control of the peripheral device is not passed to the third party application at any time is well known and expected in the art. For example, Ramachandran et al., 6,023,688 discloses dispensing of cash that is not interrupted by the capabilities of dispensing stamps etc. Barrameda et al., 6,216,115 also discloses handling of cash transaction that is not interrupted by the selling of the other products including stamps etc. Waters et al., 6,256,046, Compaq Computer Corporation (Hereinafter Waters-Compaq) also discloses these limitations.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include control of the peripheral device is not passed to the third party application at any time with the teachings of Drummond-Diebold and Angles-Paul in order to facilitate the use of the peripheral device without the third party application accessing the device at any time because it would provide the transaction related accessing to be finished without interruption of the activities related to the third party application.

15. As per claim 46, Drummond-Diebold and Angles-Paul disclose the claimed limitation rejected above. Drummond-Diebold also discloses wherein the peripheral device includes a user input device (e.g., blocks 30, 36, figure 3).

16. As per claim 47, Drummond-Diebold and Angles-Paul disclose the claimed limitation rejected above. Drummond-Diebold also discloses wherein the peripheral device includes a display device (e.g., block 30, figure 3).

### *Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (571) 272-3973. The examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to 8:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Hareesh Patel*

Hareesh Patel

June 10, 2006